From: Brad Smith
To: Microsoft ATR
Date: 1/26/02 5:00pm
Subject: Microsoft Settlement

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26 Jan 2002

Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

Ms Hesse

   I am taking the opportunity to comment on the proposed settlement between
the federal U.S. government and Microsoft. I have following this case closely
since it's inception. I will first provide a brief background of myself and
then provide some commentary on the settlement.
   I have been a user of microcomputers, what used to be known as IBM clones,
since the early 1980s. Before that I used a variety of mainframe and
minicomputers. I have been a software developer since 1978 writing database
software and analytical software to help me in my profession as a
quantitative ecologist. Much of this software development occurred on clones
of IBM PCs starting in the mid-1980s. I currently work for the federal
government as a manager leading a small software development team. These
comments reflect my personal opinions and experiences. I will be 50 in
October 2002.
   The proposed settlement does not go far enough in providing suitable
remedies. What are needed now in the market place are real and viable
alternatives to products and solutions offered by Microsoft. This settlement
fails, in my opinion, to create a climate that allows for viable products to
emerge and flourish. Microsoft through legal and illegal practices has
created a multi-faceted monopoly that covers operating systems, office
productivity suites (MS Office), and access to the internet through MS
Internet Explorer.
   Viable competition existed at one time across this spectrum of products.
One could argue that in many cases, the alternative technology was superior
in design and/or implementation. Most alternatives have failed or been
marginalized reducing choice to consumers and effectively eliminating
competition.
   I recommend that the proposal by the dissenting States be used as the
starting point as minimum remedies. Negotiations between the federal
government and the participating States can be used to set additional
penalties and remedies.

Thank you,

Bradley G. Smith
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